

**ORDINANCE NO. 003/2013**

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON AMENDING ZONING DESIGNATIONS IN THE ROOSEVELT ROAD AREA FROM URBAN RESIDENTIAL - 9,600 (UR 9,600) TO URBAN RESIDENTIAL - 6,000 (UR 6,000); SETTING FORTH LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, the City Council directed City Staff to initiate a rezone of certain properties located east of Roosevelt Road north of US 2 and south of the US 2 Bypass right-of-way, commonly known as the Roosevelt Road Area; and

WHEREAS, the city of Monroe SEPA Responsible Official issued a Determination of Non-Significance (DNS) for this proposal on December 12, 2012; and

WHEREAS, the Monroe Planning Commission held a duly advertised public hearing to consider the proposed rezone on November 19, 2012 that was continued to December 10, 2012 and March 11, 2013; and

WHEREAS, the Monroe Planning Commission forwarded a recommendation to approve the rezone to the Monroe City Council; and

WHEREAS the above-referenced recommendation was based on Findings and Conclusions recommended by City Staff and adopted by the Monroe Planning Commission dated March 25, 2013 in support of the rezone; and

WHEREAS, the City Council reviewed the Planning Commission recommendation at the April 16, 2013 City Council meetings; and

WHEREAS, the Monroe City Council finds that the proposed Zoning Ordinance Amendments are in the public interest and are further consistent with the Comprehensive Plan; and

WHEREAS, the Monroe City Council, after considering all information received, has determined to approve the rezone;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Roosevelt Road Rezone (RZ2011-01). The rezone of the Roosevelt Road Area from Urban Residential – 9,600 (UR 9,600) to Urban Residential – 6,000 (UR 6,000) as identified in the recitals above and depicted in Exhibit 1, attached hereto and incorporated herein by reference as if set forth in full, is hereby approved. The City Council hereby authorizes and directs that the official zoning map of the City be amended to reflect said rezone in accordance with MMC 18.04.020.

Section 2. Findings. The Monroe City Council hereby adopts the above recitals as legislative findings in support of the zoning map amendments effectuated by this ordinance. The City Council also adopts the findings and conclusions recommended by City Staff and adopted by the Monroe Planning Commission dated March 25, 2013, in support of said amendments. Without prejudice to forgoing, the City Council further expressly finds as follows:

A. The zoning map amendments effectuated by this ordinance are consistent with and will implement the City's Comprehensive Plan.

B. The zoning map amendments effectuated by this ordinance have a substantial relationship to, and will serve, the public health, safety and welfare by, *inter alia*, providing for orderly growth and development in accordance with the City's Comprehensive Plan.

C. There has been a change in circumstances since the current zoning classification of the Roosevelt Road Area was originally adopted. Among other relevant changes in the City's population, infrastructure, development capacity and growth targets, the Comprehensive Plan land use designation of the subject area has since been amended, and the zoning map amendment effectuated by this ordinance is necessary in order to ensure consistency between the City's development regulations and Comprehensive Plan as required by Chapter 36.70A RCW.

D. The zoning map amendments effectuated by this ordinance are consistent with all other relevant MMC provisions.

E. The zoning map amendments effectuated by this ordinance have been processed in material compliance with all applicable procedural requirements, including without limitation all requirements codified at Title 18 MMC.

Section 3. Copy to Department of Commerce. Pursuant to RCW 36.70A.106, a complete and accurate copy of this ordinance shall be transmitted to the Department of Commerce within 10 days of adoption.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 5. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 23rd day of April 2013.

1<sup>st</sup> Reading: 04/16/2013  
2<sup>nd</sup> Reading: 04/23/2013  
Published: 04/30/2013  
Effective: 05/05/2013

CITY OF MONROE, WASHINGTON:

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Robert Zimmerman, Mayor

ATTEST/AUTHENTICATED:

APPROVED AS TO FORM:

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Eadye Martinson, Deputy City Clerk

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J. Zachary Lell, City Attorney

## Exhibit 1

